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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

MITCH HIGHTOWER, OXANE "GYPSY") Case No.: C 12-5841-EMC

TAUB, GEORGE DAVIS, RUSSELL MILLS,)

and on behalf of all persons similarly situated,)

Plaintiff,)

vs.)

CITY AND COUNTY OF SAN)

FRANCISCO, DAVID CHIU in his official)

capacity only as President of the Board of)

Supervisors of the City and County of San)

Francisco, SCOTT WEINER in his official)

capacity only as a member of the Board of)

Supervisors of the City and County of San)

Francisco, and ANGELA CALVILLO, in her)

official capacity only as Clerk of the Board of)

Supervisors,)

Defendants.)

Defendant)

Stipulation and Order Setting Briefing Schedule On Application for Preliminary Injunction

COMES NOW Plaintiffs, by and through their attorney of record Ms. Christina A.

DiEdoardo, Esq., and Defendants, by and through their attorney of record Deputy City Attorney

Tara M. Steely, and hereby stipulate and agree as follows:

1. Based on the assurance by counsel for Defendants that the proposed Ordinance which

is the subject of this litigation could not become operative until January 3, 2013, at

1 the earliest, and on the further assurance that Supervisor Wiener plans to amend the
2 proposed Ordinance to provide that its operative date will be February 1, 2013,
3 Plaintiffs voluntarily withdraw their request for a TRO. The parties agree that the
4 “Ex Parte Application for Temporary Restraining Order and Order to Show Cause
5 Why Preliminary Injunction Should Not Issue” will be construed as an Application
6 for a Preliminary Injunction.

7 2. The Parties also agree that Defendants’ response to the complaint shall be due on
8 December 13, 2012 and their opposition brief to the Application for a Preliminary
9 Injunction shall be due on December 20, 2012 . Plaintiffs’ reply brief shall be due on
10 January 3, 2012. The Court shall conduct a hearing on said Application on January
11 17, 2013 at 1:30 p.m.

12 3. All other orders not in conflict with this stipulation shall remain in full force and
13 effect.
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15
16 /s/Christina A. DiEdoardo
17 Christina A. DiEdoardo
18 California Bar No. 258714
Attorney for Plaintiffs

/S/Tara M. Steeley
Tara M. Steeley
California Bar No. 231775
Attorney for Defendants

19 Date: Nov. 15, 2012

Date: November 19, 2012

ORDER

Based on the stipulation of the parties and good cause appearing, the Court will conduct a hearing on Plaintiff's Application for a Preliminary Injunction on January 17, 2013 at 1:30 p.m. Defendants shall have until December 20, 2012 to submit their opposition, and Plaintiffs shall have until January 3, 2013 to submit their reply. Defendants' response to the complaint shall be due on December 13, 2012. All prior orders not in conflict with this Order shall remain in full force and effect.

IT IS SO ORDERED.

The Hon. E.
United States

